## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

	ORDER	
Defendant.	)	
	)	
JUDGE TRACEY McCOEY	)	
	)	(WO)
v.	)	CASE NO. 2:07-CV-859-WKW
	)	
Plaintiff,	)	
a.k.a., LEON CHAPPELL,	)	
WILBUR LEON SMITH, #236111,	)	

On October 10, 2007, the Magistrate Judge filed a Recommendation (Doc. # 6) in this case.

The plaintiff did not file an objection. After an independent and de novo review of the record, it is the ORDER, JUDGMENT and DECREE of the Court that:

- 1. The Recommendation (Doc. # 6) of the Magistrate Judge is ADOPTED.
- 2. This case is DISMISSED without prejudice in accordance with the directives of 28 U.S.C. §§ 1915(e)(2)(B)(i)-(iii).

An appropriate judgment will be entered.

DONE this 1st day of November, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE